

A Court that Heals Families

By Leslie Albrecht

January 26, 2004

Angela M. was hanging out at a friend's house getting high when her daughter came riding up on her bicycle with the news: Child Protective Services had come to take Angela's children away. She was 36 years old. She had been using drugs and alcohol for 18 years. That was the last day she ever got high.

Now, a year and a half later, Angela is sober and reunited with her children, thanks to Sacramento County's Dependency Drug Court program.

In Sacramento and several other California counties, juvenile dependency courts are supervising drug treatment for substance-abusing parents whose children are in foster care. According to a recent study by Children and Family Futures, in these "family drug court" programs, parents get better treatment faster, children spend less time in foster care, and there are fewer repeat reports of child abuse.

"Drug court is beautiful. I think every parent that's serious about getting their kids back should do it," says Angela.

The National Center on Addiction and Substance Abuse estimates that substance abuse contributes to up to 70 percent of child maltreatment cases. To get their kids back from foster care, parents must follow a court-ordered "reunification plan," which often includes an order to get sober.

History of Failure

"We would order parents to get sober, but then not help them get into treatment," says Judge James Milliken, presiding judge of the San Diego County Juvenile Court. "They would come back for the 12-month review hearing and say, 'I've only been in treatment for 45 days because there was a waiting list.' So we would continue the case."

In San Diego, children waited in foster care for up to three years while their parent's case dragged through the system. "Kids get moved around in foster care for three years and at the end of it the only thing they know is that they can't trust anyone," Milliken says. "If we're going to take kids out of their homes, we'd better have a system that protects them. That's why we have to hold parents' feet to the fire."

Support for Recovery

So in 1998, Milliken convinced the county board of supervisors to fund the Dependency Court Recovery Project. The goal: to shorten the amount of time children spend in foster care by providing prompt, comprehensive treatment services to addicted parents.

"That's the worst day of their life, when their child is removed, and that's the time to get them into treatment and turn the lights on with them," says John Passalacqua, managing attorney of Parent Advocates of Sacramento.

A Dose of Hope

In San Diego, the cornerstone of the Dependency Court Recovery Project is the Substance Abuse Recovery Management System (SARMS) program. In SARMS, parents meet regularly with a “recovery specialist” who monitors their attendance at court dates, counseling, and 12-step meetings and administers regular drug tests.

Angela participated in a Sacramento program modeled after SARMS. “When I started STARS (Specialized Treatment and Recovery Services),” says Angela. “I was starving for recovery. I had been through recovery many times before, but for all the wrong reasons. The people at STARS told me I didn’t have to do it alone. They gave me a [case] worker who was just like me, so I couldn’t pull the wool over her eyes.” Many STARS staffers are former addicts or have had children in foster care.

When parents come to STARS, says Director Jeff Pogue, “We say to them, ‘If you use the tools we give you, you will never use again. You will get your children back.’ We give them a dose of hope. We give them a dose of dignity. We treat them with respect.”

Consequences

Enrollment in SARMS is voluntary, but then following the program becomes part of the court-ordered reunification plan. If a parent has a “dirty” drug test or misses a meeting, the judge gives a verbal reprimand—the first time. If necessary, the judge starts stricter supervision, meeting with the parent once a week and even, in some cases, sending the parent to jail overnight.

“As a parents’ counsel, I was opposed to sending parents to jail,” says Passalacqua. “But now I see that it has a strong rehabilitative effect on the parents. They slap the cuffs on them and everyone in the courtroom sees them being hauled off. They have a lot of time to sit and think about their drug problem. Many of them have never been to jail, and once they go, even for one night, they say they never want to go again.”

Congratulations

But drug court is about support as much as punishment. Unlike traditional dependency court, family drug courts are usually public—parents are called up one by one to speak with the judge, and other parents can witness their progress. “You finally get to hear the judge say, ‘Congratulations, you did something good.’ Instead of ‘I sentence you to six months,’” says Angela.

“If they’ve been clean for two days,” says Passalacqua, “the judge will say, ‘That’s an accomplishment. Let’s have a round of applause for this person,’ and the whole courtroom will applaud. Parents take a real mentoring approach with each other. Parents who have been in the program longer talk to other parents and, say, ‘Listen, I was just where you were a few months ago.’” After 180 consecutive days of compliance, parents graduate from drug court.

Along the way, judges hand out incentives like movie tickets and Wal-Mart gift certificates. Angela still has the small stones engraved with the words “serenity,” “courage” and “hope” that her drug court judge gave her. But the words have worn off because she kept them in her pocket for the first year of her recovery.

Results

Today, Angela describes herself as a “strong, powerful woman with goals. I’m a loving, caring mother.” She now acts as a “sponsor” for other people in recovery. She also coaches a drill team—her childhood dream—with 22 girls, hoping to help them avoid the problems she had. “It’s my way of saying ‘sorry.’ And I want to let them know that you should never give up on your dreams.”

Family drug courts produce solid results. In San Diego, it now takes an average of 13 months for a foster care case to be resolved. Before SARMS, it took 36 months. According to Judge Milliken, 3,000 kids have been sent home with sober parents. And that saves the county money. A recent study shows that before SARMS was implemented, the county spent \$2.7 million providing treatment and foster care services for 50 parents. After SARMS, that dropped to \$1.5 million.

There are now about a dozen family drug courts in California. Milliken complains that “in most areas, judges don’t want to go to the trouble of putting a case management system in place. If a judge knows someone is using drugs and they don’t do anything about it, they become part of the problem. The court has the power to impose sanctions. We do it all the time in child support cases. Why wouldn’t you do it in a child abuse case?”

Resources:

- For more info on family drug courts, contact [Children and Family Futures](tel:7145053525), 714-505-3525
- Read more from [The Children’s Advocate](#), a project of [California’s Action Alliance For Children](#).

Article found on www.connectforkids.org